

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE
2005 FEB 17 P 12:37

FIRST PIONEER FARM CREDIT
Plaintiff

v.

FIRST PIONEER CREDIT UNION
Defendant

CIVIL ACTION NO. 04-12508 GAO

U.S. DISTRICT COURT
DISTRICT OF MASS.

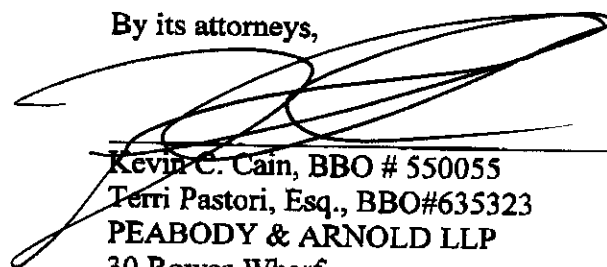
**CERTIFICATION OF DEFENDANT FIRST PIONEER CREDIT UNION PURSUANT
TO LOCAL RULE 16.1(D)(3)**

This is to certify that an authorized representative of the Defendant, First Pioneer Credit Union, and its counsel have conferred regarding: (1) a budget for the approximate costs of conducting either the full course, or various alternative courses, of this litigation; and (2) the possibility of resolving this litigation through the use of alternative dispute resolution programs such as set forth in Local Rule 16.4. The undersigned hereby affirm the preceding.

Respectfully submitted,

FIRST PIONEER CREDIT UNION

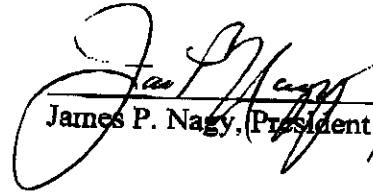
By its attorneys,



Kevin C. Cain, BBO # 550055
Terri Pastori, Esq., BBO#635323
PEABODY & ARNOLD LLP
30 Rowes Wharf
Boston, MA 02110
Telephone: (617) 951-2100

FIRST PIONEER CREDIT UNION

By:


James P. Nagy, President / CEO

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the above document was served upon all counsel of record by first class mail this 15th day of February 2005.

Steven M. Cowley, Esq.
EDWARDS & ANGELL, LLP
101 Federal Street
Boston, MA 02110


Kevin E. Cain

PABOS2:TPASTOR:607429_1
9999-99999